

Compher, Michael

From: Siegel, Kathryn
Sent: Wednesday, January 19, 2022 10:30 AM
To: Hulting, Melissa; Cain, Alexis; Compher, Michael
Subject: FW: Additional Comments on CDPH EJ Analysis for proposed Chicago metals operation - risk assessment
Attachments: FINAL GIII risk assessment comments 1.19.2022.pdf

FYI

From: Walts, Alan <walts.alan@epa.gov>
Sent: Wednesday, January 19, 2022 10:28 AM
To: Beckmann, Ronna Erin <beckmann.ronna@epa.gov>; Siegel, Kathryn <siegel.kathryn@epa.gov>
Cc: Furey, Eileen <furey.eileen@epa.gov>
Subject: FW: Additional Comments on CDPH EJ Analysis for proposed Chicago metals operation - risk assessment

fyi

From: Geertsma, Meleah <mgeertsma@nrdc.org>
Sent: Wednesday, January 19, 2022 10:09 AM
To: envcomments <envcomments@cityofchicago.org>; allison.arwady@cityofchicago.org; Shore, Debra <Shore.Debra@epa.gov>
Cc: Cunningham, Megan <Megan.Cunningham@cityofchicago.org>; Mort Ames <mort.ames@cityofchicago.org>; Dave Graham <dave.graham@cityofchicago.org>; Hesse, Jennifer <Jennifer.Hesse@cityofchicago.org>; sybil.madison@cityofchicago.org; Daniel Lurie <Daniel.Lurie@cityofchicago.org>; Angela Tovar <Angela.Tovar@cityofchicago.org>; candace.moore@cityofchicago.org; martina.hone@cityofchicago.org; Jeffrey.Levine@cityofchicago.org; Regan, Michael <Regan.Michael@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Engelman-Lado, Marianne <EngelmanLado.Marianne@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Robinson, Brittany <Robinson.Brittany@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Furey, Eileen <furey.eileen@epa.gov>; Harley, Keith (kharley@kentlaw.iit.edu) <kharley@kentlaw.iit.edu>; Nancy Loeb <n-loeb@northwestern.edu>; Leah Marie Song <leah.song@law.northwestern.edu>; Olga Bautista <obautista58@gmail.com>; Ramirez, Gina <gramirez@nrdc.org>; Cheryl Johnson <cheryljohnsonpcr@gmail.com>
Subject: Additional Comments on CDPH EJ Analysis for proposed Chicago metals operation - risk assessment

Please see the attached additional comments on CDPH's environmental justice analysis/health impact assessment for the proposed General III metals operation. These comments focus on risk assessment due to CDPH's reference to a human health risk assessment at the November 4 meeting, and build on our prior comments on the EJ analysis/HIA as well as permitting record as a whole.

As the comments set forth, there is already ample evidence in the record compelling CDPH to deny the permit without conducting a risk assessment. Risk assessment is not compelled by any HIA/EJ analysis requirements or guidance and in contrast should be disfavored/looked upon with extreme caution in such proceedings. The comments lay out our substantial concerns about employing a risk assessment in this process due to overall issues with risk assessment in EJ decision-making, especially prospective permitting. They also describe the many procedural and substantive issues with undertaking risk assessment in this case. Taken together, there is a high likelihood that a risk assessment would bias this HIA/EJ analysis process towards an unjust result.

For these reasons, we ask CDPH to refrain from moving forward with a risk assessment in this process and reiterate our position that CDPH must deny the permit now.

Sincerely,

Meleah

MELEAH GEERTSMA

Senior Attorney, Environmental Justice

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From: Geertsma, Meleah

Sent: Saturday, December 4, 2021 1:42 PM

To: envcomments <envcomments@cityofchicago.org>; allison.arwady@cityofchicago.org <allison.arwady@cityofchicago.org>; shore.debra@epa.gov <shore.debra@epa.gov>

Cc: Cunningham, Megan <Megan.Cunningham@cityofchicago.org>; Ames, Mort <Mort.Ames@cityofchicago.org>; Graham, Dave <Dave.Graham@cityofchicago.org>; Hesse, Jennifer <Jennifer.Hesse@cityofchicago.org>; sybil.madison@cityofchicago.org <sybil.madison@cityofchicago.org>; Daniel Lurie <Daniel.Lurie@cityofchicago.org>; Angela Tovar <Angela.Tovar@cityofchicago.org>; candace.moore@cityofchicago.org <candace.moore@cityofchicago.org>; martina.hone@cityofchicago.org <martina.hone@cityofchicago.org>; Jeffrey.Levine@cityofchicago.org <Jeffrey.Levine@cityofchicago.org>; regan.michael@epa.gov <regan.michael@epa.gov>; hoffer.melissa@epa.gov <hoffer.melissa@epa.gov>; EngelmanLado.Marianne@epa.gov <EngelmanLado.Marianne@epa.gov>; dorka.lilian@epa.gov <dorka.lilian@epa.gov>; Robinson, Brittany <Robinson.Brittany@epa.gov>; Tejada.Matthew@epa.gov <Tejada.Matthew@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Furey, Eileen <furey.eileen@epa.gov>; Harley, Keith (<kharley@kentlaw.iit.edu> <kharley@kentlaw.iit.edu>); Nancy Loeb <n-loeb@northwestern.edu>; Leah Marie Song <leah.song@law.northwestern.edu>; Olga Bautista <obautista58@gmail.com>; Ramirez, Gina <gramirez@nrdc.org>; Cheryl Johnson <cheryljohnsonpcr@gmail.com>

Subject: Comments on CDPH EJ Analysis for proposed Chicago metal shredding operation

Commissioner Arwady and Regional Administrator Shore -

Please see attached comments on the Chicago Department of Public Health's Health Impact Assessment for the proposed RMG/GIII metals operation to relocate from Lincoln Park to the Southeast Side, being conducted as part of the local permitting process in response to USEPA Administrator Regan's call for an environmental justice analysis.

The comments are submitted on behalf of the Southeast Environmental Task Force, Southeast Side Coalition to Ban Petcoke, People for Community Recovery, and Natural Resources Defense Council.

As the comments lay out, **the current record compels CDPH to deny the permit now**, based on the racial composition of this community compared to others in Chicago; the heavy air quality burden borne by this community; the heavy cumulative impacts burden borne by the Southeast Side; the increase in PM and lead that the facility would bring to this community, along with many other impacts; and the discriminatory history of this operation's relocation.

Were CDPH to correct the many procedural and substantive shortcomings in its HIA to date, also laid out in these comments, the case for denial would be even stronger.

Respectfully submitted,
Meleah Geertsma

p.s. I will be sending a link providing access to exhibit files for these comments to Jennifer Hesse and Alan Walts. Jennifer and Alan, please confirm receipt and that you can access/download the exhibit files.

MELEAH GEERTSMA

Senior Attorney, Environmental Justice

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